

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JAMAAL RUSS,

Plaintiff,

- against -

JOHN DOE POLICE OFFICER #1,  
JOHN DOE POLICE OFFICER #2,  
and JOHN DOE POLICE OFFICER #3,

Defendants.

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**JAMES ORENSTEIN, Magistrate Judge:**

Plaintiff's application to proceed *in forma pauperis* under 28 U.S.C. § 1915 is hereby granted. The Clerk of Court shall send a copy of this Order and the complaint to the New York City Law Department and to plaintiff. No summons shall issue at this time.

Plaintiff, Jamaal Russ, brings this *pro se* civil rights action alleging that on March 15, 2008, he was arrested following an investigation into the August 22, 2007 shooting of Tyrone Jordan in Kings County by the John Doe Police Officers from the 73<sup>rd</sup> Precinct. Plaintiff states that he was tried on these charges and acquitted at trial on March 20, 2009. Plaintiff's allegations suggest claims for false arrest and malicious prosecution against the John Doe Police Officers. He seeks \$ 5 million from each defendant.

Pursuant to Valentin v. Dinkins, 121 F.3d 72 (2d. Cir. 1997) (per curiam), the Court requests that Corporation Counsel ascertain the full name and service address of the John Doe Officers from the 73<sup>rd</sup> Precinct who investigated the August 22, 2007 shooting and arrested plaintiff on March 15, 2008. Corporation Counsel need not undertake to defend or indemnify these individuals at this juncture. This Order merely provides a means by which plaintiff may name and properly serve the defendants as instructed by the Second Circuit in Valentin.

Corporation Counsel is hereby requested to produce the information specified above regarding the identity and service addresses of the John Doe Police Officers within 30 days of the date of this Order. Once this information is provided, plaintiff's complaint shall be deemed amended to reflect the full names of the defendants, summonses shall be issued and the Court shall direct service on the defendants.

SO ORDERED.

Dated: Brooklyn, New York  
April 1, 2010

/S/  
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JAMES ORENSTEIN  
U.S. Magistrate Judge